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State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF CONSERVATION

October 8, 2014

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IN LAKE CHARLES, LA.

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JAMES H. WELSH
COMMISSIONER OF CONSERVATION

The Honorable Patricia Head Minardi
Edwin F. Hunter, Jr. Federal Building
611 Broad Street, Suite 328
Lake Charles, Louisiana 70601

Re: *Bill Martin v. Koch Industries, Inc., Koch Oil Company,*
Tesoro Crude Oil Company, Tesoro Corporation, BP America, Inc.,
Conoco Phillips Pipe Line Company, and Pelican Crude, Inc.
United States District Court, Western District of Louisiana
Lake Charles Division; Case No. 11-1413

Dear Judge Minardi:

The Office of Conservation (Conservation) is in receipt of a letter on the above referenced civil action, dated May 19, 2014, informing us of the settlement reached between Plaintiffs and certain Defendants specifically BP America Production Company. Conservation is also in possession of the partially redacted Settlement Agreement, various pleadings submitted to the Court in the referenced matter and Conservation records.

The settlement agreement provides in part,

“Because co-defendants have agreed to conduct any required remediation or Work on the Property, this agreement imposes no obligation on Released Parties to perform Work on the Property. “

Additionally, Conservation records indicate that the property was previously assessed and remediated as set forth in the Corrective Action Completion Report submitted by Arcadis G&M, Inc. to the Louisiana Department of Environmental Quality on July 11, 2005 and that the LDEQ issued a No Further Action letter on March 2, 2006.

Further, the Settlement Communication does not disclose the actual amount of the settlement, nor is there any reference as to whether any portion of the settlement amount will be deposited into the registry of the court to cover restoration or evaluation costs which may be determined to be necessary by the court pursuant to R.S. 30:29.

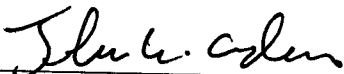
Based upon the information available and with the knowledge that Conservation reserves all its regulatory rights, authority and power and by this letter, does not forfeit its ability to seek compliance against any and all parties to the Louisiana Oil, and Gas and Environmental Quality

Law (La. R.S. 30:4, et seq.) or any rules, regulations or orders promulgated pursuant thereto, the Office of Conservation does not object to the settlement between Plaintiffs and Settling Defendants.

Finally, since the Office of Conservation did not review the Corrective Action Completion Report submitted by Arcadis G&M, this letter does not constitute and shall not be interpreted as an approval by the Office of Conservation of any evaluation or remediation or work plan that may be necessary to meet the regulatory compliance at the subject property.


If you have any questions or concerns, please call John Adams at (225) 342-7889.

Yours very truly,



John Adams, Attorney
Office of Conservation

James H. Welsh
Commissioner of Conservation

JHW:GWS:JWA:jwa 

cc via e-mail .pdf file:

Ryan Seidemann, Louisiana Department of Justice
Megan K. Terrell, Louisiana Department of Justice
Amy Berret